

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: January 13, 2005 Name: Tadashi Horie Reg. No. 40,437 Signature:

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Hiroji SAITO et al.

Appln. No.: 09/889,841

Filed: July 20, 2001

For: INFORMATION DELIVERY SYSTEM,
MOBILE COMMUNICATION TERMINAL
AND INFORMATION DELIVERY METHOD

Attorney Docket No: 9683/87

Examiner: BHATTACHARYA, Sam

Art Unit: 2687

Mail Stop After Final
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- Fifth Supplemental Information Disclosure Statement, Copy of Japanese Office Action, Form PTO-1449, 16 Cited References (F2-17), Check for \$180
 Return Receipt Postcard

Fee calculation:

- No additional fee is required.
 Small Entity.
 An extension fee in an amount of \$____ for a ____-month extension of time under 37 C.F.R. § 1.136(a).
 A petition or processing fee in an amount of \$180 under 37 C.F.R. § 1.17(p).
 An additional filing fee has been calculated as shown below:

| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Small Entity | | Not a Small Entity | | |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|--------------------|----------|-----------|
| | | | | | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | | Minus | | | x \$25= | | | x \$50= | |
| Indep. | | Minus | | | x 100= | | | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$180= | | | +\$360= | |
| | | | | | Total | \$ | Total | \$ | |

Fee payment:

- A check in the amount of \$180 is enclosed.
 Please charge Deposit Account No. 23-1925 in the amount of \$____. A copy of this Transmittal is enclosed for this purpose.
 Payment by credit card in the amount of \$____ (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

January 13, 2005

Date

Tadashi Horie (Reg. No. 40,437)



2687
JAN 18 2005

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Date of Deposit

Tadashi Horie Reg. No. 40,437

Name of Applicant, Assignee or
Registered Representative

Tadashi Horie
Signature

January 13, 2005

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Hiroji SAITO
Tatsuji NAGAOKA
Tomoko MATSUURA
Mariko WAKAIZUMI

Appln. No.: 09/889,841

Filed: July 20, 2001

For: INFORMATION DELIVERY SYSTEM,
MOBILE COMMUNICATION TERMINAL
AND INFORMATION DELIVERY METHOD

Attorney Docket No: 9683/87

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Art Unit: 2687

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(d), Applicants hereby cite the following references:

| U.S. DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | NAME |
|--|------------|-------|
| 5,504,933 | 04/02/1996 | Saito |

| FOREIGN DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | COUNTRY |
|---|------------|---------|
| H10-051404 | 02/20/1998 | Japan |
| H10-276311 | 10/13/1998 | Japan |

| | | |
|-----------------|------------|-------|
| H11-112651 | 04/23/1999 | Japan |
| H05-115063 | 05/07/1993 | Japan |
| H05-235877 | 09/10/1993 | Japan |
| H06-098323 | 04/08/1994 | Japan |
| H06-141004 | 05/20/1994 | Japan |
| H06-152501 | 05/31/1994 | Japan |
| H08-097854 | 04/12/1996 | Japan |
| H08-186548 | 07/16/1996 | Japan |
| H08-242213 | 09/17/1996 | Japan |
| H08-289348 | 11/01/1996 | Japan |
| H08-307921 | 11/22/1996 | Japan |
| H09-205636 | 08/05/1997 | Japan |
| WO 98/10580 | 03/12/1998 | WIPO |
| EP 0 731 572 A2 | 09/11/1996 | EPO |

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). References F2-16 were cited in an Office Action issued in the counterpart Japanese application. A copy of the Office Action is attached to this Statement. References F2-16 are all in Japanese. For each of references F2-7, 9-11 and 13-16, Applicants are submitting an English abstract. For reference F8, Applicants are submitting reference F1, which is the U.S. counterpart of reference F8. For reference F12, Applicants are submitting reference F17, which is the EP counterpart of reference F12.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

The Japanese Office Action was mailed to Applicants on October 19, 2004. Pursuant to 37 C.F.R. §1.97(e)(2), Applicants certify that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement. Applicants have also calculated a processing fee in the amount of

\$180.00 to be due under 37 C.F.R. §1.17(p) in connection with the filing of this Statement. Applicants have enclosed a check covering this fee, or authorized charging the fee to a deposit account or credit card, as indicated in the Transmittal accompanying this Statement.

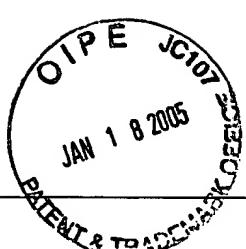
Respectfully submitted,

January 13, 2005

Date



Tadashi Horie (Reg. No. 40,437)



| | | |
|--|-----------------------------------|------------------------|
| FORM PTO-1449 LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary) | SERIAL NO. 09/889,841 | CASE NO. 9683/87 |
| | FILING DATE July 20, 2001 | GROUP ART UNIT 2687 |
| | APPLICANT(S): Hiroji SAITO et al. | |

REFERENCE DESIGNATION
U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER Number-Kind Code (if known) | DATE | NAME | CLASS/ SUBCLASS | FILING DATE |
|------------------|--|------------|-------|-----------------|-------------|
| F1 | 5,504,933 | 04/02/1996 | Saito | | |
| F | | | | | |
| F | | | | | |
| F | | | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER Number-Kind Code (if known) | DATE | COUNTRY | CLASS/ SUBCLASS | TRANSLATION YES OR NO |
|------------------|--|------------|---------|-----------------|-----------------------|
| F2 | H10-051404 | 02/20/1998 | Japan | | Abstract |
| F3 | H10-276311 | 10/13/1998 | Japan | | Abstract |
| F4 | H11-112651 | 04/23/1999 | Japan | | Abstract |
| F5 | H05-115063 | 05/07/1993 | Japan | | Abstract |
| F6 | H05-235877 | 09/10/1993 | Japan | | Abstract |
| F7 | H06-098323 | 04/08/1994 | Japan | | Abstract |
| F8 | H06-141004 | 05/20/1994 | Japan | | US 5,504,933 |
| F9 | H06-152501 | 05/31/1994 | Japan | | Abstract |
| F10 | H08-097854 | 04/12/1996 | Japan | | Abstract |
| F11 | H08-186548 | 07/16/1996 | Japan | | Abstract |
| F12 | H08-242213 | 09/17/1996 | Japan | | EP 0 731 572 |
| F13 | H08-289348 | 11/01/1996 | Japan | | Abstract |
| F14 | H08-307921 | 11/22/1996 | Japan | | Abstract |
| F15 | H09-205636 | 08/05/1997 | Japan | | Abstract |
| F16 | WO 98/10580 | 03/12/1998 | WIPO | | Abstract |
| F17 | EP 0 731 572 A2 | 09/11/1996 | EPO | | |
| F | | | | | |
| F | | | | | |

EXAMINER INITIAL
OTHER ART – NON PATENT LITERATURE DOCUMENTS

(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)

| | |
|---|--|
| F | |
| F | |

EXAMINER
DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.